

Hearing Date: April 20, 2022 at 10:00 a.m.

Objection Date: March 15, 2022

Reply Date: March 31, 2022

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

FAIRFIELD SENTRY LTD., *et al.*,

Debtors in Foreign Proceedings.

FAIRFIELD SENTRY LTD. (IN
LIQUIDATION), *et al.*,

Plaintiffs,

v.

THEODOOR GGC AMSTERDAM, *et al.*,

Defendants.

This Notice of Motion to Dismiss is
Related to the Following Adversary
Proceedings:

10-03635

10-03636

Chapter 15 Case

Case No. 10-13164 (CGM)

Jointly Administered

Adv. Pro. No. 10-03496 (CGM)

Administratively Consolidated

ORAL ARGUMENT REQUESTED

NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE that, upon Incore Bank AG's Memorandum of Law in Support of its Motion to Dismiss for Lack of Personal Jurisdiction, filed contemporaneously herewith, Defendant Incore Bank AG ("Incore") will move this Court for an order dismissing with prejudice (a) the Plaintiffs' Fifth Amended Complaint, dated August 11, 2021, in Adversary Proceeding Number 10-03635 [Docket No. 620], and (b) the Plaintiffs' Fifth Amended Complaint, dated August 11, 2021 in Adversary Proceeding Number 10-03636 [Docket No. 679], pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure, made applicable here by Rule 7012 of the Federal Rules of Bankruptcy Procedure.

PLEASE TAKE FURTHER NOTICE that, pursuant to Rule 7012(b) of the Federal Rules of Bankruptcy Procedure, Incore does not consent to the entry of final orders or judgment by this Court.

Dated: November 5, 2021
New York, NY

Respectfully Submitted,

PILLSBURY WINTHROP SHAW
PITTMAN LLP

By: /s/ Eric Fishman

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